

FEDERAL DEFENDER SERVICES  
OF WISCONSIN, INC.

LEGAL COUNSEL

Craig W. Albee, Federal Defender  
Krista A. Halla-Valdes, First Assistant

Joseph A. Bugni, Madison Supervisor  
John W. Champion  
Shelley M. Fite  
Anderson M. Gansner  
Gabriela A. Leija  
Peter R. Moyers  
Ronnie V. Murray  
Tom E. Phillip  
Joshua D. Uller  
Kelly A. Welsh

517 East Wisconsin  
Suite 182  
Milwaukee, Wisconsin 53202

Telephone 414-221-9900  
Facsimile 414-221-9901

May 28, 2019

Hon. William C. Griesbach  
United States District Court  
for Eastern District of Wisconsin  
125 S. Jefferson Street, Room 203  
Green Bay, WI 54301-4541

RE: *United States v. Sean R. Evansen*  
Case No. 18-CR-191(WCG)

Dear Judge Griesbach,

Sean Evansen is a 36-year-old husband and father of two who has pled guilty to possessing child pornography. He was discovered when the contents of his phone were uploaded to a photo sharing website, Flickr. When confronted by law enforcement, Mr. Evansen was cooperative. He admitted downloading and viewing child pornography, and even took a polygraph test. After he was indicted, he accepted responsibility by pleading guilty, and will now appear for sentencing.

What makes Sean's case more difficult is a prior sexual assault conviction he sustained when he was 16 years old. That conviction potentially triggers enhanced mandatory minimums, which have largely driven the nine-year resolution reached in this case.<sup>1</sup> The parties are asking the Court to accept the proposed resolution and adopt the joint recommendation. The defense further asks the Court to follow Mr. Evansen's prison term with a five-year term of supervised release. Such a sentence is sufficient to meet § 3553(a)'s sentencing objectives.

---

<sup>1</sup> Notably, Mr. Evansen's sentencing guidelines recommend 51 to 63 months. PSR at ¶90.

FEDERAL DEFENDER SERVICES  
OF WISCONSIN, INC.

Hon. William C. Griesbach  
May 28, 2019  
Page 2

Since his conviction has a teenager, Mr. Evansen has generally lived a productive and trouble-free life. He completed ten years of probation and successfully discharged. He has maintained employment throughout adulthood, gotten married, and fathered two children from that union. His wife, Jessica, is determined to support him through his incarceration, and she will be there waiting for him when he's released back into the community. Mr. Evansen's positive and supportive relationship with Jessica bodes well for his reintegration prospects, as community support is one of those factors identified as reducing recidivism.

Mr. Evansen has considerable treatment needs, and he was seeking to address them even before he got into trouble. In 2015, Mr. Evansen sought help for feelings of anxiety and depression and was prescribed medications for those symptoms. Later in 2016, Mr. Evansen was diagnosed with anxiety and a mood disorder and prescribed more medications and continued therapy. And beyond his personal struggles, he and Jessica had been attending couples counseling for some time to address some of his pornography habits and other issues the couple was going through. Jessica had discovered some of Mr. Evansen's pornographic material, and she conditioned their continued relationship on him getting treatment, which he agreed to. So not only is he open to treatment, he had already initiated treatment on his own before he was arrested.

Moreover, Mr. Evansen will enroll into a sex offender treatment program while in the FBOP, which will help him continue to address those concerns that landed him in this situation. He has never fully come to terms with what he suspects was his own victimization as a child, but this case has brought up old issues that will need to be dealt with for him to fully rehabilitate. So while the nine-year resolution is significant punishment, there is also a treatment component that will promote Mr. Evansen's rehabilitation.

But the most painful consequence for Mr. Evansen is the extended separation from his wife and children. As those who know Mr. Evansen explain, he is a very good father.<sup>2</sup> Mr. Evansen himself did not grow up in an ideal household environment, and he took great pride in providing for his children those things he lacked growing up: a stable home with two parents in a loving, committed relationship. Now his children will spend their most formative years without their father, and he'll have to do what he can to pick up the pieces when he gets out. Also notable is the shame and embarrassment that come with a

---

<sup>2</sup> See attached character letters.

FEDERAL DEFENDER SERVICES  
OF WISCONSIN, INC.

Hon. William C. Griesbach  
May 28, 2019  
Page 3

conviction of this type. Mr. Evansen already was a sex offender with a registry requirement (which he complied with). This conviction only adds to his public stigmatization, and will follow him everywhere he goes. These collateral consequences compound the punishment he'll experience.

Although this case is tragic and a silver lining may be difficult to find, Sean is very likely to land on his feet upon release. He has a solid track record of employment, which should enhance his job prospects, and he has a supportive wife and family to return to. He will also have the support and resources of the U.S. Probation Office, and will build upon those treatment and rehabilitative efforts already underway. Having successfully completed ten years of probation in the past, it is very likely he will once again conform his conduct to society's expectations and complete his supervision term here.

In sum, the resolution proposed sufficiently accounts for the seriousness of Mr. Evansen's conduct while promoting his rehabilitation and ultimate reintegration back into the community. Having accepted responsibility and committed himself to treatment, Mr. Evansen has the right attitude for someone in his position, and he is determined never to place himself or his family in this situation again. For all of these reasons, we ask the Court to adopt the joint recommendation and impose a sentence of 108 months imprisonment, followed by five years of supervised release.

Sincerely,

s/Ronnie V. Murray  
Ronnie V. Murray

RVM/lc